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## Appointment.

PROVINCIAL SECRETARY'S OFFICE,  
4th October, 1873.

HIS Excellency the LIEUTENANT-GOVERNOR in Council has been pleased to appoint HANS HELGESEN, and WILLIAM FISHER (of Metchosiu), Esquires, to be Commissioners under the "Drainage, Dyking, and Irrigation Act, 1873," for the Road District of Esquimalt, as described in the "Road Amendment Ordinance, 1870."

## Proclamation.

[L.S.] JOSEPH W. TRUTCH.  
CANADA.

PROVINCE OF BRITISH COLUMBIA.

VICTORIA by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the faith, &c., &c., &c.

To Our faithful the Members elected to serve in the Legislative Assembly of Our Province of British Columbia, and summoned and called to a meeting of the Legislature or Parliament, of Our said Province, at Our City of Victoria, on Monday the Twentieth day of October, instant, to have been commenced and held, and every of you,—GREETING.

A PROCLAMATION.

(GEO. A. WALKER } WHEREAS the meeting of the  
Attorney-General, } Legislature or Parliament of  
the Province of British Columbia, stands called for

Monday the Twentieth day of October instant, at which time, at Our City of Victoria, you were held and constrained to appear:

NOW KNOW YE that for divers causes and considerations, and taking into consideration the ease and convenience of Our loving subjects, We have thought fit, by and with the advice of Our Executive Council of the Province of British Columbia, to relieve you, and each of you, of your attendance at the time aforesaid; hereby convoking, and by these presents enjoining you, and each of you, that on THURSDAY, the TWENTY-SEVENTH day of the month of NOVEMBER next you meet us in our Legislature, or Parliament, of the said Province, at Our City of Victoria, and therein to do as may seem necessary. Herein fail not.

IN TESTIMONY WHEREOF, we have caused these Our Letters to be made Patent, and the Public Seal of the said Province to be hereunto affixed: WITNESS, the Honorable JOSEPH WILLIAM TRUTCH, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this Third day of October, in the year of Our Lord one thousand eight hundred and seventy-three, and in the thirty-seventh year of Our Reign.

By Command.

HENRY S. MASON,  
Deputy Registrar Supreme Court.

## Government Notices.

PROVINCIAL SECRETARY'S OFFICE,  
19th September, 1873.

THE Lieutenant-Governor directs the insertion of the following Despatch and enclosure from Her Majesty's Principal Secretary of State for the Colonies to His Excellency the Governor-General of Canada, which have been transmitted to His Honor for publication in this Province.

By Command.

JOHN ASH,  
Provincial Secretary.

CIRCULAR.

DOWNING STREET,  
9th July, 1873.

SIR,—I have the honor to transmit to you, for publication in the Colony under your Government, a copy of a Treaty between Her Majesty and the King of Denmark for the mutual surrender of fugitive Criminals, as well as a copy of the Order in Council of the 26th June last, for carrying into effect that Treaty.

I have, &c.,

KIMBERLEY.

The Officer Administering  
the Government of Canada.

AT the Court at Windsor, the 26th day of June, 1873.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-third and thirty-fourth years of the reign of Her present Majesty, intituled "An Act for



"amending the law relating to the Extradition of 'Criminals,' it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Act shall apply in the case of such foreign State: and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the thirty-first day of March last, between Her Majesty and the King of Denmark for the Mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Denmark, having judged it expedient, with a view to the better administration of justice, and to the prevention of crime within their respective territories and jurisdictions, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Charles Lennox Wyke, Knight Commander of the Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Denmark:

And His Majesty the King of Denmark, Baron Otto Ditley Rosenörn-Lehn, Knight Commander of the Order of the Dannebrog and Dannebrogsmund, His Majesty's Minister for Foreign Affairs:

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

Art. I. It is agreed that Her Britannic Majesty and His Majesty the King of Denmark shall, on requisition made in their name by their respective Diplomatic Agents, deliver up to each other reciprocally, any persons, except native born or naturalized subjects of the party upon whom the requisition may be made, who, being accused or convicted of any of the crimes hereinafter specified, committed within the territories of the requiring party, shall be found within the territories of the other party:—

1. Murder, or attempt or conspiracy to murder.
2. Manslaughter.
3. Counterfeiting or altering money, or uttering counterfeit or altered money.
4. Forgery, or counterfeiting, or altering, or uttering what is forged, or counterfeited, or altered.
5. Embezzlement or larceny.
6. Obtaining money or goods by false pretences.
7. Crimes by bankrupts against bankruptcy laws.
8. Fraud by a bailee, banker, agent, factor, trustee, or director, or member or public officer of any company made criminal by any law for the time being in force.
9. Rape.
10. Abduction.
11. Child stealing.
12. Burglary or housebreaking.
13. Arson.
14. Robbery with violence.
15. Threats by letter or otherwise with intent to extort.
16. Piracy by law of nations.
17. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
18. Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.
19. Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.

Provided that the surrender shall be made only when, in the case of a person accused, the commission of the crime shall be so established as that the laws of the country where the fugitive or person so accused shall be found would justify his apprehension and commitment for trial if the crime had been there committed; and, in the case of a person alleged to have been convicted, on such evidence as, according to the laws of the country where he is found, would prove that he had been convicted.

Art. II. In the dominions of Her Britannic Majesty, other than the Colonies or foreign possessions of Her Majesty, the manner of proceeding shall be as follows:

#### 1. In the case of a person accused—

The requisition for the surrender shall be made to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs by the Minister or other Diplomatic Agent of His Majesty the King of Denmark at London, accompanied by (1) a warrant or other equivalent judicial document for the arrest of the accused, issued by a Judge or Magistrate duly authorized to take cognizance of the acts charged against him in Denmark; (2) duly authenticated depositions or statements taken on oath before such Judge or Magistrate, clearly setting forth the acts on account of which the fugitive is demanded; and (3) a description of the person claimed, and any other particulars which may serve to identify him. The said Secretary of State shall transmit such documents to Her Britannic Majesty's Principal Secretary of State for the Home Department, who shall then, by order under his hand and seal, signify to some Police Magistrate in London that such requisition has been made, and require him, if there be due cause, to issue his warrant for the apprehension of the fugitive.

On the receipt of such order from the Secretary of State, and on the production of such evidence as would, in the opinion of the Magistrate, justify the issue of the warrant if the crime had been committed in the United Kingdom, he shall issue his warrant accordingly.

When the fugitive shall have been apprehended in virtue of such warrant, he shall be brought before the Police Magistrate who issued it, or some other Police Magistrate in London. If the evidence to be then produced shall be such as to justify, according to the law of England, the committal for trial of the prisoner if the crime of which he is accused had been committed in England, the Police Magistrate shall commit him to prison to await the warrant of the Secretary of State for his surrender; sending immediately to the Secretary of State a certificate of the committal and a report upon the case.

After the expiration of a period from the committal of the prisoner, which shall never be less than fifteen days, the Secretary of State shall, by order under his hand and seal, order the fugitive criminal to be surrendered to such person as may be duly authorized to receive him on the part of the Government of His Majesty the King of Denmark.

#### 2. In the case of a person convicted—

The course of proceeding shall be the same as in the preceding case of a person accused, except that the document to be produced by the Minister or other Diplomatic Agent of His Danish Majesty in support of his requisition, shall clearly set forth the crime of which the person claimed has been convicted, and state the fact, place, and date of his conviction. The evidence to be produced before the Police Magistrate shall be such as would, according to the law of England, prove that the prisoner was convicted of the crime charged.

After the Police Magistrate shall have committed the accused or convicted person to prison to await the order of a Secretary of State for his surrender, such person shall have the right to apply for a writ of *habeas corpus*. If he should so apply, his surrender must be deferred until after the decision of the Court upon the return to the writ, and even then can only take place if the decision is adverse to the applicant. In the latter case, the Court may at once order his delivery to the person authorized to receive him, without the order of a Secretary of State for his surrender, or commit him to prison to await such order.

Art. III. In the dominions of His Majesty the King of Denmark, other than the Colonies or Foreign Possessions of His Majesty, the manner of proceeding shall be as follows:—

#### 1. In the case of a person accused—

The requisition for the surrender shall be made to the Minister for Foreign Affairs of His Majesty the King of Denmark by the Minister or other Diplomatic Agent of Her Britannic Majesty at Copenhagen, accompanied by (1) a warrant for the arrest of the accused, issued by a Judge or Magistrate duly authorized to take cognizance of the acts charged against him in Great Britain; (2) duly authenticated depositions or statements taken on oath before such Judge or Magistrate, clearly setting forth the acts on account of which the fugitive is demanded; and (3) a description of the person claimed, and any other particulars which may serve to identify him.

The Minister for Foreign Affairs of His Majesty the King of Denmark shall transmit such requisition for surrender to the Minister of Justice of His Majesty the King of Denmark, who, after having ascertained that



the crime therein specified is one of those enumerated in the present Treaty, and satisfied himself that the evidence produced is such as, according to Danish law, would justify the committal for trial of the individual demanded, if the crime had been committed in Denmark, shall take the necessary measures for causing the fugitive to be delivered to the person charged to receive him by the Government of Her Britannic Majesty.

2. In the case of a person convicted—

The course of proceeding shall be the same as in the preceding case of a person accused, except that the warrant to be transmitted by the Minister or other Diplomatic Agent of Her Britannic Majesty in support of his requisition, shall clearly set forth the crime of which the person claimed has been convicted, and state the fact, place, and date of his conviction. The evidence to be produced shall be such as would, according to the laws of Denmark, prove that the prisoner was convicted of the crime charged.

Art. IV. A fugitive criminal may, however, be apprehended under a warrant issued by any Police Magistrate, Justice of the Peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the person issuing the warrant, justify the issue of a warrant, if the crime had been committed or the prisoner convicted, in that part of the dominions of the two Contracting Parties in which he exercises jurisdiction: Provided, however, that in the United Kingdom the accused shall, in such case, be sent as speedily as possible before a Police Magistrate in London; and that in the dominions of His Majesty the King of Denmark, the case shall be immediately submitted to the Minister of Justice of His Majesty the King of Denmark; and provided, also, that the individual arrested shall in either country be discharged, if within fifteen days a requisition shall not have been made for his surrender by the Diplomatic Agent of his country, in the manner directed by Articles II and III of this Treaty.

The same rule shall apply to the cases of persons accused or convicted of any of the crimes specified in this Treaty, committed on the high seas, on board a vessel of either country, which may come into a port of the other.

Art. V. If the fugitive criminal who has been committed to prison be not surrendered and conveyed away within two months after such committal (or within two months after the decision of the Court, upon the return to a writ of *habeas corpus* in the United Kingdom), he shall be discharged from custody, unless sufficient cause be shown to the contrary.

Art. VI. When any person shall have been surrendered by either of the High Contracting Parties to the other, such persons shall not, until he has been restored or had an opportunity of returning to the country from whence he was surrendered, be triable or tried for any offence committed in the other country prior to the surrender, other than the particular offence on account of which he was surrendered.

Art. VII. No accused or convicted person shall be surrendered, if the offence in respect of which his surrender is demanded shall be deemed by the Government upon which it is made to be one of a political character, or if in the United Kingdom he prove to the satisfaction of the Police Magistrate, or of the Court before which he is brought on *habeas corpus*, or to the Secretary of State, or in Denmark to the satisfaction of the Minister of Justice of His Majesty the King of Denmark, that the requisition for his surrender has, in fact, been made with a view to try or to punish him for an offence of a political character.

Art. VIII. Warrants, depositions, or statements on oath, issued or taken in the dominions of either of the two High Contracting Parties, and copies thereof, and certificates of or judicial documents stating the fact of conviction, shall be received in evidence in proceedings in the dominions of the other, if purporting to be signed or certified by a Judge, Magistrate, or officer of the country where they were issued or taken, and provided they are authenticated by the oath of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Minister of State.

Art. IX. The surrender shall not take place if, since the commission of the acts charged, the accusation, or the conviction, exemption from prosecution or punishment has been acquired by lapse of time

according to the laws of the country where the accused or convicted person shall have taken refuge.

Art. X. If the individual claimed should be under prosecution, or in custody, for a crime or offence committed in the country where he may have taken refuge, his surrender may be deferred until he shall have been set at liberty in due course of law.

In case he should be proceeded against or detained in such country, on account of obligations contracted towards private individuals, his surrender shall nevertheless take place, the injured party retaining his right to prosecute his claims before the competent authority.

Art. XI. Every article found in the possession of the individual claimed at the time of his arrest, shall be seized, in order to be delivered up with his person at the time when the surrender shall be made. Such delivery shall not be limited to the property or articles obtained by stealing or by fraudulent bankruptcy, but shall extend to every thing that may serve as proof of the crime. It shall take place even when the surrender, after having been ordered, shall be prevented from taking place by reason of the escape or death of the individual claimed.

Art. XII. Each of the two Contracting Parties shall defray the expenses occasioned by the arrest within its territories, the detention, and the conveyance to its frontier, of the persons whom it may consent to surrender in pursuance of the present Treaty.

Art. XIII. The stipulations of the present Treaty shall be applicable to the Colonies or Foreign Possessions of the two High Contracting Parties, in the following manner:—

The requisition for the surrender of a fugitive criminal who has taken refuge in a Colony or Foreign Possession of either of the two Contracting Parties, shall be made to the Governor or Chief Authority of such Colony or Possession by the Chief Consular Officer of the other Party in such Colony or Possession; or, if the fugitive has escaped from a Colony or Foreign Possession of the Party on whose behalf the requisition is made, by the Governor or Chief Authority of such Colony or Possession.

Such requisitions may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the respective Governors or Chief Authorities, who, however, shall be at liberty either to grant the surrender, or to refer the matter to their Government.

Her Britannic Majesty and His Majesty the King of Denmark shall, however, be at liberty to make special arrangements in their Colonies and Foreign Possessions for the surrender of criminals who may take refuge therein, on the basis, as nearly as may be, of the provisions of the present Treaty.

Art. XIV. The present Treaty shall come into operation ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties.

After the Treaty shall so have been brought into operation, the Convention concluded between the High Contracting Parties on the 15th of April, 1862, shall be considered as cancelled, except as to any proceeding that may have already been taken or commenced in virtue thereof.

Either Party may at any time terminate the Treaty on giving to the other six month's notice of its intention.

Art. XV. The present Treaty shall be ratified, and the ratification shall be exchanged at Copenhagen as soon as may be within four weeks from the date of signature.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Copenhagen, the thirty-first day of March, in the year of Our Lord, one thousand eight hundred and seventy-three.

[L.S.] CHARLES LENNIX WYKE.

[L.S.] O. D. ROSENORN-LEHN.

And whereas the ratifications of the said Treaty were exchanged at Copenhagen, on the twenty-sixth day of April last:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Act, doth order, and it is hereby ordered, that from and after the seventh day of July, one thousand eight hundred and seventy-three, the said Act shall apply in the case of the said Treaty with the King of Denmark.

(Signed) ARTHUR HELPS.



## NOTICE.

WHEREAS by an Order in Council dated the 7th day of June, 1873, of the Honorable the Privy Council of Canada, it has been decided "that Esquimalt, in Vancouver Island, be fixed as the Terminus of the Canadian Pacific Railway, and that a line of Railway be located between the Harbour of Esquimalt and Seymour Narrows, on the said Island;" and whereas in accordance with the Terms of the said Order in Council, application has been made to His Excellency "the Lieutenant-Governor of British Columbia, for a reservation and for the conveyance to the Dominion Government, in trust, according to the 11th Paragraph of the Terms of the Agreement of Union, of a strip of Land Twenty Miles in width along the Eastern Coast of Vancouver Island, between Seymour Narrows and the Harbour of Esquimalt, in furtherance of the construction of the said Railway."

And whereas it has been deemed advisable that the Land within the limits aforesaid should be Reserved, prior to any conveyance aforesaid being made thereof. Public notice is therefore hereby given that from and after this date a strip of Land Twenty Miles in width along the Eastern Coast of Vancouver Island between Seymour Narrows and the Harbour of Esquimalt is hereby Reserved.

By Command.

JOHN ASH,  
Provincial Secretary.

Provincial Secretary's Office,  
July 1st, 1873.

## NOTICE.

## Court of Assize, Kootenay.

NOTICE IS HEREBY GIVEN that by an Order of the Lieutenant-Governor in Council, bearing date the Twenty-second day of August, 1873, the provisions of "The Circuit Courts Act, 1872," have been extended to the Kootenay District; and the limits of the said District have been defined as those set forth in the Schedule to "The Constitution Act, 1871."

And by the said Order a Circuit Court and Court of Assize and General Gaol Delivery and Nisi Prius, has been ordered to be holden at the Court House, in the said Kootenay District, on or about the First day of October, next, at the hour of 11 o'clock in the forenoon, and the same is hereby ordered accordingly.

Dated, Twenty-second day of August, 1873.

By Command.

JOHN ASH,  
Provincial Secretary.

PROVINCIAL SECRETARY'S OFFICE,  
August 21st, 1873.

AS it is desirable, in view of framing a scheme for Assisted Immigration to the Province of British Columbia, that the Government should be possessed of the fullest data on which to base calculations as to the number of persons resident in the Province who might be desirous of availing themselves, in the interest of friends, relatives, &c., of any arrangements that may be hereafter made by the Government of the Province in this behalf, all persons settled in the Province who may desire to bring out relatives or friends, and all employers who may wish to bring out labourers or servants, are requested to send the fullest particulars to the Provincial Secretary.

Those desirous of bringing out friends or relatives to state numbers, age, and sex of possible immigrants, and the amount that they are prepared to advance toward the desired object.

With regard to those desirous of bringing out labourers or servants, a guarantee would be required for the repayment to the Government, at stated periods, of the sums advanced for passage, and applicants must state that they are prepared to give the same.

It will be fully understood that by the present notice the Government do not bind themselves to carry out any individual application or any general plan of Assisted Immigration at present, but merely to obtain requisite preliminary information.

By Command

JOHN ASH,  
Provincial Secretary.

## NOTICE.

A COURT OF GENERAL ASSIZE AND GAOL DELIVERY and of NISI PRIUS will be held at each of the undermentioned places as follows, except the same be hereafter changed by Order in Council:—

## FALL CIRCUIT.

Richfield, Tuesday, 16th September,  
Quesnelle month, to be fixed hereafter, if any business.

Clinton, Thursday, 2nd October,  
Kamloops, Tuesday, 7th October,

Lytton, Monday, 13th October,

Yale, Thursday, 16th October,

New Westminster, Tuesday, 21st October.

Assizes at Nanaimo and elsewhere will, when necessary, be hereafter fixed.

Dated, 17th day of April, 1873.

By Command.

JOHN ASH,  
Provincial Secretary.

## NOTICE.

A COURT OF GENERAL ASSIZE AND GAOL DELIVERY and of NISI PRIUS will be held at Victoria, on Friday, the 7th November, next.

Dated, 3rd day of October, 1873.

By Command.

JOHN ASH,  
Provincial Secretary.

PROVINCIAL SECRETARY'S OFFICE,  
3rd October, 1873.

WHEREAS the Lieutenant-Governor in Council is empowered, under "The Public School Act, 1872," to create School Districts in addition to those already existing, and to define the boundaries thereof; it is hereby notified that His Excellency has been pleased to create the tract of land enclosed within the undermentioned boundaries a School District, under the title of the "Colwood School District," viz:—

All that tract of land within a line commencing at the North end of Parsons' Bridge; then following Rowe Stream to the boundary line between Sections 97 and 98; thence in a Northerly direction along the Eastern boundary of Section 98 to the boundary line between the Highland and Esquimalt Districts; thence Westerly, along said boundary line, to the North-west corner of Section 14; thence South-westerly, to the South-east corner of Section 100; thence in a South-easterly direction, to the South-west corner of Section 51; thence along the section line between Sections 50 and 51, to the shore at Royal Bay; thence North-easterly along the shore line to the Southern end of Parsons' Bridge; thence along the said Bridge to the point of commencement.

By Command.

JOHN ASH,  
Provincial Secretary.

PROVINCIAL SECRETARY'S OFFICE,  
3rd October, 1873.

WHEREAS the Lieutenant-Governor in Council is empowered, under "The Public School Act, 1872," to create School Districts in addition to those already existing, and to define the boundaries thereof; it is hereby notified that His Excellency has been pleased to create the tract of land enclosed within the undermentioned boundaries a School District, under the title of the "Trenant School District," viz:—

All that tract of land within a line commencing at the Southern bank of the Fraser River, opposite Tilbury Island, thence running due South in prolongation of the dividing line of Ranges 4 and 5 West, Blocks 4 and 5 North, New Westminster District, to the sea shore at Boundary Bay, thence South-westerly along the shore line, to the 49th parallel of latitude; thence along said 49th parallel to the sea shore at Roberts Bay; thence along the shore line, Northerly, to Pelly Point, at the mouth of Fraser River; thence along the said Southern bank of the Fraser River, to the point of commencement.

By Command.

JOHN ASH,  
Provincial Secretary.



PROVINCIAL SECRETARY'S OFFICE,  
3rd October, 1873.

WHEREAS the Lieutenant-Governor in Council is empowered, under "The Public School Act, 1872," to create School Districts in addition to those already existing, and to define the boundaries thereof; it is hereby notified that His Excellency has been pleased to create the tract of land enclosed within the undermentioned boundaries a School District, under the title of the "Burgoyne Bay School District," viz:—

All that tract of land within a line commencing at a point on the shore in the centre of Ganges Harbour, Salt Spring Island, thence running Westerly along the summit of the Otter Range to the sea shore; thence following the shore line, Southerly, to the point of commencement, and including Moresby, Russell, and Portland Islands.

By Command.

JOHN ASH,  
Provincial Secretary.

PROVINCIAL SECRETARY'S OFFICE,  
25th September, 1873.

THE Lieutenant-Governor in Council directs the publication of the following Protocol.

By Command.

JOHN ASH,  
Provincial Secretary.

*Protocol signed at Washington on the 10th of March, 1873, defining the Boundary Line through the Canal de Haro, in accordance with the Award of the Emperor of Germany of October 21, 1872.*

WHEREAS it was provided by the 1st Article of the Treaty between Great Britain and the United States of America, signed at Washington on the 15th of June, 1846, as follows:—

#### "ARTICLE I.

"From the point on the 49th parallel of north latitude, where the boundary laid down in existing Treaties and Conventions between Great Britain and the United States terminates, the line of boundary, between the territories of Her Britannic Majesty and those of the United States, shall be continued westward along the said 49th parallel of north latitude, to the middle of the channel which separates the Continent from Vancouver's Island; and thence southerly through the middle of the said channel, and of Fuca's Straits, to the Pacific Ocean: provided, however, that the navigation of the whole of the said channel and straits, south of the 49th parallel of north latitude, remain free and open to both Parties."

And whereas it was provided by the XXXIVth Article of the Treaty between Great Britain and the United States of America, signed at Washington on the 8th of May, 1871, as follows:—

#### "ARTICLE XXXIV.

"Whereas it was stipulated by Article I of the Treaty concluded at Washington on the 15th of June, 1846, between Her Britannic Majesty and the United States, that the line of boundary between the territories of Her Britannic Majesty and those of the United States, from the point on the 49th parallel of north latitude, up to which it had already been ascertained, should be continued westward along the said parallel of north latitude to the middle of the channel which separates the Continent from Vancouver's Island, and thence southerly through the middle of the said channel and of Fuca Straits to the Pacific Ocean, and whereas the Commissioners appointed by the two High Contracting Parties to determine that portion of the boundary which runs southerly through the middle of the channel aforesaid were unable to agree upon the same; and whereas the Government of Her Britannic Majesty claims that such boundary line should, under the terms of the Treaty above recited, be run through the Rosario Straits, and the Government of the United States claims that it should be run through the Canal de Haro, it is agreed that the respective claims of the Government of Her Britannic Majesty, and of the Government of the United States, shall be submitted to the arbitration and award of His Majesty the Emperor of Germany, who, having regard to the abovementioned Article of the said Treaty, shall decide thereupon, finally and without appeal, which of those claims is most in accordance with the true interpretation of the Treaty of June 15, 1846."

And whereas His Majesty the Emperor of Germany has, by his award dated the 21st of October, 1872,

decided that "Mit der richtigen Anlegung der zwischen den Regierungen Ihrer Britischen Majestät und der vereinigten Staaten von Amerika geschlossenen Vertrages de dato Washington den 15ten Juni, 1846, stellt der Anspruch der Regierung der vereinigten Staaten am meisten im Einklange, dass die Grenzlinie zwischen den Gebieten Ihrer Britischen Majestät und den vereinigten Staaten durch den Haro Kanal gezogen werde."

The Undersigned, the Right Honourable Sir Edward Thornton, one of Her Majesty's Most Honourable Privy Council, Knight Commander of the Most Honourable Order of the Bath, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of America, and Rear-Admiral James Charles Prevost, Commissioner of Her Britannic Majesty in respect of the boundary aforesaid, and Hamilton Fish, Secretary of State of the United States, duly authorized by their respective Governments to trace out and mark on charts prepared for that purpose the line of boundary in conformity with the award of His Majesty the Emperor of Germany, and to complete the determination of so much of the boundary line between the possessions of Great Britain and the territory of the United States, as was left uncompleted by the Commissioners heretofore appointed to carry into effect the 1st Article of the Treaty of 15th June, 1846, have met together at Washington, and have traced out and marked the said boundary line on four charts, severally entitled "North America, West Coast, Strait of Juan de Fuca, and the Channels between the Continent and Vancouver Island, showing the Boundary Line, between British and American Possessions, from the Admiralty Surveys by Captains H. Kellett, R.N., 1847, and G. H. Richards, R.N., 1858-1862;" and having on examination agreed that the lines so traced and marked on the respective charts are identical, they have severally signed the said charts on behalf of their respective Governments, two copies thereof to be retained by the Government of Her Britannic Majesty, and two copies thereof to be retained by the Government of the United States, to serve with the "Definition of the Boundary Line" attached hereto, showing the general bearings of the line of boundary as laid down on the charts, as a perpetual record of agreement between the two Governments in the matter of the line of boundary between their respective dominions, under the 1st Article of the Treaty concluded at Washington on the 15th of June, 1846.

In witness whereof, the undersigned have signed this Protocol, and have herunto affixed their seals.

Done in duplicate, at Washington, this 10th day of March, in the year 1873.

EDWD. THORNTON. [L.S.]  
JAMES C. PREVOST. [L.S.]  
HAMILTON FISH. [L.S.]

#### *Definition of the Boundary Line.*

The chart upon which the boundary line between the British and the United States' Possessions is laid down is entitled "North America, West Coast, Strait of Juan de Fuca, and the Channels between the Continent and Vancouver Island, showing the Boundary Line between British and American Possessions, from the Admiralty Surveys by Captains H. Kellett, R.N., 1847, and G. H. Richards, R.N., 1858-1862."

The boundary line laid down on the chart is a black line on the side of the British Possessions, and a red line on the side of the Possessions of the United States.

The boundary line commences at the point on the 49th parallel of north latitude on the west side of the Strait of Juan de Fuca, which is marked by a stone monument, and is continued along the middle of the channel which separates the Continent from Vancouver Island, that is, from the point in longitude 123° 19' 15" west, to the point in longitude 123° 19' 15" west, where it meets the Pacific Ocean.

It then proceeds in a direction about south 50° east for about 15 geographical miles, when it curves to the southward passing equidistant between the west point of Patos Island and the east point of Saturna Island until the point midway on a line drawn between Turn Point on Stewart Island and Fairfax Point on Moresby Island bears south 68° west (true), distant 10 miles, then on a course south 68° west (true) 10 miles to the said point midway between Turn Point or Stewart Island and Fairfax Point



on Moresby Island, thence on a course about south  $12^{\circ} 30'$  east (true) for about  $8\frac{3}{4}$  miles to a point due east 1 mile from the northernmost kelp reef, which reef on the said chart is laid down as in latitude  $48^{\circ} 33'$  north and in longitude  $123^{\circ} 15'$  west; then its direction continues about south  $20^{\circ} 15'$  east (true)  $6\frac{1}{4}$  miles to a point midway between Sea Bird Point on Discovery Island and Pile Point on San Juan Island, thence in a straight line south  $45^{\circ}$  east (true) until it touches the north end of the middle bank in between 13 and 18 fathoms of water; from this point the line takes a general south  $28^{\circ} 30'$  west direction (true) for about 10 miles, when it reaches the centre of the fairway of the Strait of Juan de Fuca, which by the chart is in the latitude of  $48^{\circ} 17'$  north and longitude  $123^{\circ} 14' 40''$  west.

Thence the line runs in a direction south  $73^{\circ}$  west (true) for 12 miles to a point on a straight line drawn from the light-house on Race Island to Angelos Point midway between the same.

Thence the line runs through the centre of the Strait of Juan de Fuca, first, in a direction north  $80^{\circ} 30'$  west about  $5\frac{3}{4}$  miles to a point equidistant on a straight line between Beechey Head on Vancouver Island and Tongue Point on the shore of Washington Territory; second, in a direction north  $76^{\circ}$  west about  $13\frac{1}{4}$  miles to a point equidistant in a straight line between Sherringham Point on Vancouver Island and Pillar Point on the shore of Washington Territory; third, in a direction north  $68^{\circ}$  west about  $39\frac{3}{4}$  miles to the Pacific Ocean at a point equidistant between Bonilla Point on Vancouver Island and Tatoosh Island lighthouse on the American shore, the line between the points being nearly due north and south (true).

The courses and distances as given in the foregoing description are not assumed to be perfectly accurate, but are as nearly so as is supposed to be necessary to a practical definition of the line laid down on the chart and intended to be the boundary line.

(Signed) EDWD. THORNTON.  
JAMES C. PREVOST.  
HAMILTON FISH.

## PUBLIC NOTICE.

NOTICE IS HEREBY GIVEN, that by an Order in Council, dated 20th September, 1873, it was determined that Pre-emptors, who have recorded land in error as a pre-emption purchase, under the Land Ordinance of 11th April, 1865, subsequent to the 20th October, 1870, and who have paid a deposit of two shillings and one penny per acre, should be permitted to purchase land at the rate of one dollar per acre, subject to the Land Ordinances, 1870 and 1873, and by complying with the Regulations as to the purchase of unsurveyed land under date 27th of August, 1873, excepting as to the payment of a record fee of five dollars, and by substituting fifty cents per acre in lieu of one dollar, as contained in Section 2 of said Regulations.

ROBERT BEAVEN,  
Chief Commissioner of Lands & Works.

Lands & Works Office,  
Victoria, 23rd September, 1873.

## PUBLIC NOTICE.

NOTICE IS HEREBY GIVEN, that by an Order in Council dated 3rd September, 1873, it was determined that in the event of a Pre-emptor recording 160 acres of Prairie Land in New Westminster District, he should be allowed to locate Twenty acres of Timbered Land in the vicinity of his pre-emption; the said location to be made under the same rules and regulations as issued under date, 27th August, 1873, as to the purchasing of unsurveyed land from the Crown, excepting as to the cash payment of One Dollar per Acre, but to be subject to the same conditions as to settlement and payment as land recorded as a pre-emption under the "Land Ordinance, 1870," and "Land Ordinance Amendment Act, 1873," and shall appertain to and form an addition to such pre-emption.

ROBERT BEAVEN,  
Chief Commissioner of Lands and Works.  
Victoria, September 13th, 1873.

## PUBLIC NOTICE.

NOTICE IS HEREBY GIVEN, that by an Order in Council, dated 20th September, 1873, it was determined that the price of Mineral Land, with the right to take coal and all the baser metals and minerals, but reserving gold, platinum and silver, should be Ten Dollars per Acre, payable half in cash and the balance in two years, or previous to survey and issue of Crown Grant; and that no person should be allowed either directly or indirectly to purchase more than Six hundred and forty acres as above.

ROBERT BEAVEN,  
Chief Commissioner of Lands and Works.  
Lands and Works Office,  
Victoria, Sept. 23rd, 1873.

## PUBLIC NOTICE.

NOTICE IS HEREBY GIVEN, that by an Order in Council, dated 5th September, 1873, it was determined that the price of unsurveyed and unoccupied lands in the Province of British Columbia, should be two dollars and fifty cents per acre, the right to all the precious and baser metals or minerals being reserved to the Crown, provided that no person either individually or as a member of a Company shall be entitled to purchase more than 640 acres.

ROBERT BEAVEN,  
Chief Commissioner Lands and Works.  
Lands and Works Department,  
Victoria, 11th September, 1873.

## Miscellaneous Notices.

## PUBLIC AUCTION.

THE Trustees of St. Andrew's Presbyterian Church, New Westminster, having purchased House and Lots adjoining the Church, have instructed Mr. H. V. Edmonds to sell, by Public Auction (according to "Religious Institutions Ordinance, 1869"), at his office, New Westminster, on Wednesday, October 15th, 1873, at 12 o'clock M., the

### MANSE PROPERTY:

Comprising Dwelling House, Stable, etc., and Two Lots, full of very fine fruit trees and bushes, carefully cultivated for ten years, viz.:—Lots 5 and 6, Block 18, corner of Carnarvon and Elliot Streets. Also, Church Property, Lot 1, Block 35, corner of Douglas Road and Royal Avenue.

Terms—Cash, or approved security.

Acts of sale at buyer's expense.

For further particulars apply to

JOHN C. BROWN, Secretary.  
Or to H. V. EDMONDS, Auctioneer.

## NOTICE

IS HEREBY GIVEN to all whom it may concern, that we the undersigned, intend after the expiration of two calendar months after date of this notice, to apply for a Crown Grant of all that parcel or tract of land situate in the District of Comox, in Vancouver Island, British Columbia, which may be described as follows:

Said tract of land about four miles South-West from Comox Harbor, bounded on the South side by a lake not marked on the official chart, lying East and West about eight hundred yards in length, and on the West side by a creek having a general course of North-West and South-East.

Dated at Comox, this Fourth day of August, 1873.

Stylie B. Hamilton,	David Leneveu,
Archibald Hamilton,	William R. Clarke.
James Hamilton,	James Gillespie,
James Allan,	David Hoggan,
John B. Allan,	William Hoggan,
A. G. Horne.	

## PUBLIC NOTICE.

### QUEEN CHARLOTTE ISLANDS. LAYING OVER CLAIMS.

NOTICE IS HEREBY GIVEN, that on and after the 15th of October, 1873, all Mining Claims legally held on the above Islands will be laid over until the 15th May, 1874.

ROBERT BEAVEN,  
Gold Commissioner.



## PUBLIC NOTICE.

STICKEEN RIVER AND CASSIAR.  
LAYING OVER CLAIMS.

NOTICE IS HEREBY GIVEN, that on and after the 15th of October, 1873, all Mining Claims legally held in the above localities will be laid over until the 1st June, 1874.

ROBERT BEAVEN,  
*Gold Commissioner.*

## NOTICE.

## Rules relative to Private Bills.

ALL applications for Private Bills, properly the subject of legislation by the Legislative Assembly of British Columbia, within the purview of the "British North America Act, 1867," whether for the erection of a Bridge, the making of a Railroad, Turnpike Road, or Telegraph Line; the construction or improvement of a Harbour, Canal, Lock, Dam, or Slide, or other like work; the granting of a right of Ferry; the incorporation of any particular trade or calling, or of any Joint Stock Co.; or otherwise for granting to any individual or individuals any exclusive or peculiar rights or privileges whatever, or for doing any matter or thing which in its operation would affect the rights or property of other parties, or relate to any particular class of the community; or for making any amendment of a like nature to any former Act,—shall require a Notice, clearly and distinctly specifying the nature and object of the application, to be published as follows.—

A notice inserted in the BRITISH COLUMBIA GAZETTE, and in one newspaper published in the District affected, or if there be no newspaper published therein, then in a newspaper in the next nearest District in which a newspaper is published.

Such notice shall be continued in each case for a period of at least six weeks, during the interval of time between the close of the next preceding Session and the consideration of the Petition.

Before any Petition, praying for leave to bring in a Private Bill for the erection of a Toll Bridge, is presented to the House, the person or persons intending to petition for such Bill shall, upon giving the notice prescribed by the preceding rule, also at the same time and in the same manner, give notice of the rates which they intend to ask, the extent of the privilege, the height of the arches, the interval between the abutments or piers for the passage of rafts and vessels, and mentioning also whether they intend to erect a drawbridge or not, and the dimensions of the same.

J. ROLAND HETT,  
*Clerk of the Legislative Assembly.*

2nd August, 1873.

## "Crown Grants Ordinance, 1870."

NOTICE IS HEREBY GIVEN that I shall, in accordance with the provisions of the "Crown Grants Ordinance, 1870," and at the expiration of three months from the date hereof, recommend the issue of a Crown Grant to CHARLES McEWEN, of those pieces of land known as Sections 5 and 6 Range IX., in the Chemainus District, Vancouver Island, unless objection be made to me in writing in the meantime against the issue thereof.

H. B. W. AIKMAN,  
*Registrar-General.*

*Land Registry Office,  
Victoria, 25th July, 1873.*

## "Crown Grants Ordinance, 1870."

NOTICE IS HEREBY GIVEN, that I shall, in accordance with the provisions of the "Crown Grants Ordinance, 1870," and at the expiration of three months from the date hereof, recommend the issue of a Crown Grant to ROBERT KER and HENRY SLYE MASON, as joint tenants, of those pieces of land known as Sections XLII. and XLIII. on the Official Map of Metchosin District, and those pieces or parcels of land known as Sections XXVIII., XXX., XXXI., and XXXII. on the Official Map of Lake District, unless objection be made to me in writing in the meantime against the issue thereof.

H. B. W. AIKMAN,  
*Registrar-General.*

*Land Registry Office,  
12th September, 1872.*

## "Crown Grants Ordinance, 1870."

NOTICE IS HEREBY GIVEN, that I shall, in accordance with the provisions of the "Crown Grants Ordinance, 1870," and at the expiration of Three Months from the date hereof, recommend the issue of a Crown Grant to SAMUEL BRETHOUR, of those pieces of land known as Sections 3 and 4 East, 10 North, in the District of North Saanich, unless objection be made to me, in writing, in the meantime against the issue thereof.

H. B. W. AIKMAN,  
*Registrar-General.*

*Land Registry Office,  
6th August, 1873.*

## "Crown Grants Ordinance, 1870."

NOTICE IS HEREBY GIVEN, that I shall, in accordance with the provisions of the "Crown Grants Ordinance, 1870," and at the expiration of three months from the date hereof, recommend the issue of a Crown Grant to THOMAS PRITCHARD, of those pieces or parcels of land known as Sections LXVIII., LXXXV., LXXXVI., LXXXVII. and CXVI. on the Official Map of the District of Esquimalt, unless objection be made to me in writing in the meantime against the issue thereof.

H. B. W. AIKMAN,  
*Registrar-General.*

*Land Registry Office,  
12th September, 1873.*

NOTICE is hereby given, that CHARLES JAMES LEGGATT, of Victoria, B. C., intends to apply, next Michaelmas Term, to be admitted an Attorney and Solicitor of the Supreme Court of British Columbia.

Dated this 3rd day of January, 1873.

CHAS. JAS. LEGGATT.

## In the Supreme Court of British Columbia.

## GENERAL ORDER.

NOTICE is hereby given, that the Supreme Court will sit in Banc, for the hearing of all motions, arguments, appeals, and other matters coming before the Court in Banc, at the Supreme Court Room in the City of Victoria, for the following terms, on the days hereinafter mentioned, namely:

For Hilary Term from the 15th to 25th February;

For Easter Term from the 15th to 25th April;

For Michaelmas Term from the 15th to 25th November.

There will be no sitting in Banc in Trinity Term.

In case any of the days of the dates named for the beginning or ending of the Terms should fall on a Sunday or Public Holiday, then the Term will begin or end on the next following day.

{  
L.S.  
}

{ MATT. B. BEGGIE, C. J.  
HENRY P. PELLEW CREASE, J.  
J. HAMILTON GRAY, J.

Dated Victoria, January 24th, 1873.

In the Supreme Court of British  
Columbia.

## IN BANKRUPTCY.

A DEED bearing date the Sixth day of September, A. D., 1873, and made between Robert Wallace and James Hutcheson, carrying on business as Wallace and Hutcheson, at Wharf street, Victoria, as merchants and produce dealers of the first part, John Goodfellow of Victoria, aforesaid, Trustee on behalf of and with the consent of the Creditors of the said Wallace and Hutcheson of the second part, and others the creditors of the third part (the execution of which was attested by Robert Edwin Jackson, Solicitor, Supreme Court) whereby the said parties of the first part conveyed to the said John Goodfellow all their estate and effects (except as therein mentioned) for the benefit of the creditors of the said Robert Wallace and James Hutcheson, was deposited in the office of the Registrar of the Supreme Court for registration on Tuesday the Ninth day of September, A. D. 1873, at 1:45 p. m., and was duly registered by me according to the provisions of the Bankruptcy Act, 1862.

Supreme Court Registry Office.

HENRY S. MASON,  
*Deputy Registrar, S. C.*

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